

**DRAFT**  
**BAY-DELTA ADVISORY COUNCIL**  
**MEETING SUMMARY**  
**May 17, 2000**  
**Sacramento Association of Realtors Auditorium**

**BDAC Members and Members of the Public in attendance:** See attached sign in sheets.

**Major Outcome**

- **Recommendation on the CALFED Solution** - BDAC members suggested changes to the revised draft recommendation presented by Chair Mike Madigan and Vice Chair Sunne McPeak. The Chair and Vice Chair will consider the suggestions as they continue to prepare their recommendation. The recommendation will be transmitted to Deputy Secretary of the Interior David Hayes and Secretary for Resources Mary Nichols in the form of a letter from the Chair and Vice Chair the week of May 22, 2000.

**1. Welcome and Chair's Report (Chair Mike Madigan)**

Chair Mike Madigan opened the meeting at 9:50 a.m. and stated that the main purpose for the meeting was to refine the recommendation on the CALFED solution. He thanked BDAC members for their participation in the CALFED process and for attending all of meetings over the last five years. He thanked CALFED staff for their support. He also thanked Vice Chair Sunne McPeak and acknowledged her invaluable contributions for ensuring that BDAC addressed important issues. She is important to the process and meant a lot to him as a teammate.

**2. Executive Director's Report (Acting Executive Director Steve Ritchie)**

Acting Executive Director Steve Ritchie highlighted topics addressed in the written report in the meeting packet. He announced that currently \$125 million is earmarked in the May revision to the Governor's proposed 2000/2001 budget for CALFED implementation actions, including actions to be funded by recently enacted Proposition 13 (handed out at meeting). He noted that the proposed budget was a significant down payment on the CALFED Program. He also noted that senate and assembly legislative committees scheduled a hearing on incorporating sound science in the CALFED Program. BDAC member Alex Hildebrand commented on the implementation plan for San Joaquin River Restoration, a Proposition 13 funded action.

### **3. Recommendation on the CALFED Solution (Chair Mike Madigan and Vice Chair Sunne McPeak)**

#### ***Discussion***

Chair Madigan and Vice Chair McPeak solicited comments and suggestions from BDAC members on the May 9, 2000 draft recommendation on the CALFED Solution (included in the meeting packet). The following is a summary of the comments.

#### **General Recommendation**

##### **Overall Comments.**

- Chair Madigan, Vice Chair McPeak and BDAC members Robert Meacher, Torri Estrada and Martha Guzman discussed references to significant third party or redirected impacts and addressing local as well as statewide impacts. They agreed that assessments should address rural, social and economic impacts in addition to urban, environmental and agricultural impacts. Mr. Estrada also asked for more references to environmental justice.
- BDAC Members Richard Izmirian, Alex Hildebrand, Chair Madigan and Vice Chair McPeak discussed replacing references to "balancing" with "reconciling" or other words that do not imply tradeoffs between interests.

##### **Ground Rules.**

- b) BDAC member Stu Pyle suggested changes to clarify that new water deliveries and impacts will affect new geographic areas and create new problems.
- d) BDAC Members Alex Hildebrand and Robert Borgonovo suggested a stronger commitment to groundwater management and avoiding overdraft.
- f) Mr. Estrada, Vice Chair McPeak and BDAC Member Marsha Sablan discussed that analysis of CALFED Program economic impacts and effects on environmental justice is needed and should be done prior to the Programmatic EIS/EIR federal Record of Decision/state Certification (ROD/Certification). Mr. Estrada added that each program element should state environmental justice goals and objectives.

#### **Specific Recommendations (numbers refer to recommendations in May 9, 2000 revised draft Recommendation on the CALFED Solution)**

##### **Funding and Accountability.**

1. & BDAC member Tom Graff expressed disappointment over the generality of the
2. language. Vice Chair McPeak sympathized but added that the language is highlighting the importance of funding issues by urging that they be addressed by the time of the ROD/Certification. BDAC member Steve Zapotichny noted that being accountable is more

than reporting Program status. There must be performance indicators to measure progress towards meeting milestones. Mr. Estrada added that the Program should be accountable to the public.

#### Decision-Making.

3. Vice Chair McPeak, Chair Madigan and Mr. Meacher discussed the need for including local government and elected officials in the decision-making structure. BDAC members Hap Dunning and EZE Burts asked that recommendations from the Governance Work Group be referenced. Mr. Dunning asked specifically that the current governance proposal of recommending a new commission and ecosystem restoration conservancy be mentioned. Vice Chair McPeak acknowledged that there is broad support for the framework suggested by the Work Group and that joint leadership by the state and federal governments is crucial for a successful program.

#### Water Supply Reliability and Ecosystem Restoration.

4. Mike Spear (U.S. Fish and Wildlife Service), Mr. Dunning, Mr. Pyle, Mr. Izmirian, BDAC members Byron Buck, Brenda Jahns Southwick, and Roger Thomas discussed the linkage between balancing Delta inflows and outflows to improving ocean fisheries management. Most agreed that the reference should address management of all activities which affect fish recovery. BDAC member Pietro Parravano asked that "guaranteeing" replace "balancing" to get back to the original meaning of the sentence. Mr. Buck asked that improvements to water quality be linked to recovery and sustainability of fish populations.
5. Mr. Izmirian and Mr. Hildebrand discussed the merits of mentioning limits to fish recovery. Mr. Hildebrand stated that recovery can only be assured to the extent feasible. Mr. Izmirian argued that the qualifying language will limit the vision of creating robust fisheries. Mr. Pyle suggested that guaranteeing outflows for fish recovery be incorporated. Mr. Dunning asked that reference to the CALFED environmental water program be added. Mr. Parravano suggested the fishery recovery goals and mandates of the Central Valley Improvement Act and Endangered Species Acts be added. BDAC member Steve Hall stated there is no agreement over using CALFED Programs to meet specific legal recovery standards required in state and federal law. Mr. Zapotichny and Mr. Pyle suggested that taking of additional water be avoided rather than minimized.
7. Mr. Estrada asked that linkage to water management be added.
8. Mr. Hildebrand asked that the words "or other measures" be added to make clear that
9. alternatives other than a screened diversion on the Sacramento River may improve in-Delta and export water quality. Mr. Graff suggested parameters on which to base storage and conveyance facilities.

10. Mr. Hildebrand asked that the list of local experts be expanded. Mr. Izmirian suggested that the reference to "fish protection" may be interpreted to mean support for measures to prevent fishing. Vice Chair McPeak and Mr. Zapotichny suggested that the word "sufficient" be defined to explain the appropriate amount of time needed to operate optimized through Delta facilities. Mr. Meacher asked to clarify how impacts of actions that may cause changes in fish behavior, such as a new channel from the Sacramento to the Mokelumne River, will be addressed. Mr. Hildebrand, Mr. Buck and Vice Chair McPeak discussed the merits of including the reference to changing baseline conditions when assessing the effectiveness of the through-Delta strategy.
11. Mr. Hildebrand suggested comparative analyses of through-Delta actions and feasibility studies for isolated conveyance be done.
12. Mr. Zapotichny, Mr. Pyle and Vice Chair McPeak agreed to clarify that the requested water supply forecasting would be done by the Department of Water Resources (DWR), a CALFED agency. Mr. Hildebrand, Ms. Borgonovo, Mr. Pyle and Chair Madigan discussed the need to suggest issues to be addressed by DWR in its Bulletin 160, and to define parameters for calculating environmental, urban and agricultural water demand.
15. BDAC member Eric Hasseltine and Chair Madigan questioned whether the last bullet was necessary since local water users will likely determine how water they conserve will be used. Mr. Buck and BDAC member Francis Spivy-Weber agreed that it should be changed to acknowledge that water saved as a result of water use efficiency measures funded by CALFED and/or the public will likely be diverted to environmental or other public uses. BDAC member Bob Raab agreed that the bullet should remain and Ms. Southwick added that water rights issues will affect the allocation of water.

***Public Comment***

Michael Umbrello (Cahto Tribe) provided comments on the tribal outreach information handed out at the meeting. Alf Brandt (U.S. Bureau of Reclamation) assured Mr. Umbrello that tribal consultations are ongoing.

Zeke Grader (Pacific Coast Federal of Fishermen's Associations) commented on recommendations 4 and 5. He stated that fisheries resources are being balanced to death, and that recovery goals should be consistent with existing laws.

John Mills (Regional Council of Rural Counties) commented on recommendations 3, 5, 8, 9 and 12. He expressed concern that the costs of failed actions will fall on upstream interests, drought years will affect effectiveness of storage and conveyance actions, and that elected officials have an appropriate role in the decision-making structure.

Felicia Marcus (U.S. Environmental Protection Agency) praised BDAC for a good job, struggling through the discussion and helping to move the discourse and CALFED through the issues.

***CALFED Staff Commitment***

Steve Ritchie informed BDAC that the CALFED Policy Group will address environmental justice prior to the ROD/Certification by establishing policy direction at the next Policy Group meeting.

***Next Steps***

Chair Madigan and Vice Chair McPeak explained that BDAC member comments will be considered when completing the recommendation. Their hope is that the letter will reflect as much agreement as possible, however, the letter, since it will be from the Chair and Vice Chair will reflect "a sense of the center" on particular issues. Their letter will be transmitted to Deputy Secretary of the Interior David Hayes and Secretary for Resources Mary Nichols during the week of May 22, 2000. Prior to transmitting the letter, BDAC members will have an opportunity to express support for the recommendation. BDAC member comments on the recommendation will be part of a later and formal submittal to the Policy Group. Mary Scoonover (CALFED legal counsel) added that the letter and any attachments will be part of the CALFED official records.

Chair Madigan stated that no future BDAC meetings have been scheduled. He mentioned that he would convene BDAC again, if asked to by the Policy Group. Interested BDAC members would still attend Policy Group meetings, including Mr. Hildebrand, Mr. Raab and Mr. Estrada. In response to a question from Mr. Meacher regarding the Watershed Work Group, Chair Madigan asked the work group chairs to submit a letter to him explaining the purpose of the work group meetings over the next few months.

**4. Ecosystem Restoration Project Status (Wendy Halverson-Martin)**

***Presentation***

Wendy Halverson-Martin (CALFED Program Manager) reviewed information in the meeting packet and handed out at the meeting pertaining to the status of ongoing projects and responses to the 2001 ecosystem restoration proposal solicitation.

***Discussion***

Mr. Hildebrand asked questions regarding proposals pertinent to the San Joaquin River. BDAC was reminded that proposals were just received and that the purpose of the discussion was to provide highlights, not focus in on individual proposals.

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Mr. Pyle and Ms. Halverson-Martin discussed that the former policy of assigning 80% of funds to implementation type projects did not apply to this solicitation since the Program is trying to address important scientific questions.

BDAC member Gene Andreuccetti and Ms. Halverson-Martin discussed that acquisition type projects could be categorized under the Shallow Water Tidal and Freshwater Marsh Habitat, Channel Dynamics, Sediment Transport and Riparian Vegetation, and Beyond the Riparian Corridor topics.

Chair Madigan adjourned the meeting at 2:25 PM.